

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERIK A. LOPEZ,

No. C 08-4140 WHA (PR)

Plaintiff,

**ORDER OF TRANSFER**

v.

C. W. FINN, et al,


Defendants.

This is a civil rights case brought pro se by a state prisoner. The acts complained of occurred at the Duell Vocational Institution in Tracy and in Stockton. Both Tracy and Stockton are in the venue of the United States District Court for the Eastern District of California. Defendants, who are Stockton parole officers and prison employees, appear to reside there as well. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

This case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a). In view of the transfer, the Court will not rule upon plaintiff's request for leave to proceed in forma pauperis.

**IT IS SO ORDERED.**

Dated: September 30, 2008.

  
\_\_\_\_\_  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

G:\PRO-SE\WHA\CR.08\LOPEZ4140.TRN.wpd